

<b>Consideration</b>	
<b>Public</b>	<b>Public</b>
<b>Report to:</b>	<b>Nottinghamshire Police and Crime Panel</b>
<b>Date of Meeting:</b>	<b>14 December 2021</b>
<b>Report of:</b>	<b>Caroline Henry</b>
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<b>Agenda Item:</b>	

## **Formal Notification of Temporary arrangements for an Interim Chief Executive in compliance with Schedule 1 7 (1) Police Reform and Social Responsibility Act 2011**

### **1. Purpose of the Report**

1.1 I am required by Schedule 1 7 (1) of the Police Reform & Social Responsibility Act 2011 (PRSRA 2011) to appoint a person to act as Chief Executive if and for so long as the post is vacant or the holder of the post is unable to carry out the duties of the role. I am further required, in accordance with Schedule 1 9 (2) PRSRA 2011, to notify members of the Nottinghamshire Police and Crime Panel of a proposed senior appointment, as follows:

- the name of the person I am appointing;
- the criteria that were used to assess the suitability of the candidate;
- why the candidate satisfies those criteria; and,
- the terms and conditions upon which the candidate is to be appointed.

### **2. Recommendations**

2.1 For the reasons set out in this report, and in accordance with Schedule 1 9 (1) PRSRA 2011, I invite the panel to:

- a) Review the proposed appointment on secondment of Sharon Caddell as the Interim Chief Executive for the Police and Crime and Victims Commissioner for Nottinghamshire;
- b) Hold a confirmation hearing in order to inform a report on the proposed appointment; and,
- c) To make a recommendation to the Commissioner as to whether Sharon Caddell should be appointed in accordance with Schedule 1 10 (4) of the Act.

### **3. Reasons for Recommendations**

3.1 My substantive Chief Executive Officer, Mr Kevin Dennis, will be leaving his role on 31st December 2021. Mr Dennis is entitled to take his annual leave entitlement prior to finishing in his employment with us, and he has requested to do this after 3rd December 2021.

- 3.2 In order to provide support to Mr Dennis, and to direct my Office in the discharge of our statutory duties and in optimising our powers to best effect to benefit Nottinghamshire residents, it was necessary to recruit a Temporary Assistant Chief Executive. The successful applicant was Mrs Sharon Caddell. Mrs Caddell was a substantive Programme Manager at Office of Police and Crime Commissioner (OPCC) for Cleveland. Mrs Caddell was interviewed for the Temporary Assistant Chief Executive role by Mr Dennis, my Chief Financial Officer, Mrs Charlotte Radford, and myself.
- 3.3 The interview questions for the role of Temporary Assistant Chief Executive covered a range of duties associated with executive leadership within an Office of Police and Crime Commissioner. These included: being an effective Monitoring Officer in the provision of advice to me to ensure that the business of my Office is lawful; providing day to day leadership of my Office staff by acting as a Head of Paid Service and taking overall responsibility for their wellbeing and productivity; ensuring effective strategic working with Nottinghamshire Police and all other strategic partners and stakeholders, and providing strategic coordination to ensure that my Office's duties are successfully discharged by the existing staff, and that best use is made of the legislative powers available to me. Mrs Caddell was successful in interview and was appointed into post by Mr Dennis.
- 3.4 Mrs Caddell's service provision to the Office of Police and Crime Commissioner for Nottinghamshire in that role has been enabled through a short-term secondment arrangement between our Office and the Cleveland OPCC. The secondment arrangement will terminate on 12th February 2022.
- 3.5 I wish to extend my formal thanks to Mr Dennis for his service in role, and to the Police and Crime Commissioner for Cleveland, Mr Steve Turner, for supporting Mrs Caddell's secondment to our Office.
- 3.6 I plan to conduct a formal process for the appointment of a substantive permanent Chief Executive Officer, which will incorporate both head of the commissioner's staff, in accordance with section 4 of the Local Government and Housing Act 1989 (LGHA 1989), and that of monitoring officer, in accordance with section 5, LGHA 1989. To this end, I have formally commissioned an independent consultant who has secured the services of a public sector recruitment team. They are responsible for overseeing the recruitment process and for discharging all appropriate steps in order to ensure that an open and fair opportunity for the substantive role is advertised, with the aim of attracting the best and most appropriate candidate for the role. Presently, the role is expected to be advertised within the next two weeks, and in expectation of a successful appointment, we anticipate that the confirmation of the permanent Chief Executive for my Office will take place at the Police and Crime Panel meeting scheduled for 8th February 2022.
- 3.7 In the interim, however, I am obliged by Schedule 1 7 (1) PRSRA 2011 to appoint a person to act as Chief Executive to my Office where the role is vacant or where the post holder is unavailable to carry out their duties. While Schedule 1 9 (1)

PRERA 2011 requires that confirmation arrangements for a statutory post holder in my Office be notified to the Panel, the requirement to ensure continuity in provision of statutory officer is mandatory, and therefore I cannot have a gap in Chief Executive provision.

3.8 This report now explains:

- a) The short-term arrangements since 3 December 2021 made in order to comply with s7 of the 2011 Act; and
- b) By way of statutory notification, the proposed Interim Chief Executive arrangements for the time being.

3.9 Members will note that this report now proposes a secondment arrangement for the provision of statutory Interim Chief Executive Provision.

#### **4. Summary of Key Points**

4.1 Schedule 1 7 (1) PRERA 2011 governs my responsibilities in terms of the appointment of a substantive and (as necessary) acting Chief Executive. Members must review my proposal, undertake a confirmation hearing and report within three weeks of being notified of my proposal.

4.2 Sharon Caddell is the individual formally proposed for appointment as Interim Chief Executive. Mrs Caddell is a presently seconded to my Office as a Temporary Assistant Chief Executive, and her substantive employment is as Programme Manager with Office for Police and Crime Commissioner for Cleveland.

4.3 Mrs Caddell has a demonstrable track record in public service which includes:

- The necessary qualifications for the role, complemented by substantial experience and knowledge gained from working at principal and executive levels within complex organisations.
- Experience of providing statutory functions to a Police and Crime Commissioner.
- Experience of developing, maintaining and where needed, adapting, governance and accountability systems.
- A comprehensive understanding of Police Service governance arrangements and of operating within a corporate governance framework.
- Working knowledge of Nottinghamshire Police and effective collegiate decision-making and scrutiny arrangements which are in place within the organisation.

4.4 Mrs Caddell has significant public sector employment experience, having worked for Middlesbrough Council, between 2007 and 2016, as a Principal Statutory Officer with responsibility for homelessness, housing and support services, domestic abuse and sexual violence, and selective landlord licensing.

4.5 Mrs Caddell also previously acted as an Assistant Chief Executive to North Yorkshire OPCC between April 2019 and July 2020, and then as an Interim Chief Executive to Durham OPCC between July 2020 and June 2021. During that time,

she also completed a Master of Studies degree in Criminology and Police Leadership at University of Cambridge, and her thesis focused on the response and pathways for domestic abuse victims. She graduated in October 2021.

4.6 From her application and responses to interview questions, I am confident that Mrs Caddell has the necessary skills, knowledge, and experience to act as a Temporary Assistant Chief Executive that role and to assume the Interim Chief Executive role until the role is properly appointed to through the impending open process.

4.7 Section 18 of the Police Reform and Social Responsibility Act 2011 enables a Police and Crime Commissioner to arrange for any person (other than a Deputy Commissioner) to exercise any functions of the Commissioner, with the exception that if the person is a member of staff of another policing body they may not exercise certain specific functions (listed in s.18 (7)). I confirm that Mrs Caddell will be able to discharge the responsibilities set out in the role profile on a temporary basis without contravening this provision.

## **5. Financial Implications and Budget Provision**

5.1 The secondment agreement that has been developed between my Office and OPCC for Cleveland sets out arrangements for suitable and reasonable remuneration to that Office for the provision of Mrs Caddell's services, initially in the role of Temporary Assistant Chief Executive, and latterly as Interim Chief Executive.

## **6. Human Resources Implications**

6.1 In accordance with s4, Local Government and Housing Act 1989 (LGHA 1989), as amended by PRSRA 2011, I am required to appoint a Chief Executive who is also designated as the head of paid service.

6.2 The terms and conditions of service are set out within the job description and person specification. They are also referred to within the secondment agreement that my Office has developed within the Police and Crime Commissioner for Cleveland, Mr's Caddell's employer, in respect of the temporary provision of her services.

## **7. Equality Implications**

7.1 The Equality Act 2010 introduced a duty on public authorities to, in the exercise of their functions, have due regard to the need to: eliminate conduct prohibited by the EA 2010, such as discrimination, harassment and victimisation related to an individual's protected characteristics; and, to advance equality of opportunity and foster good relationships between people in carrying out their activities.

7.2 The appointment of a Chief Executive who is also designated as monitoring officer in accordance with s5 LGHA 1989, as amended by PRSRA 2011 will ensure that the discharge of my Office's functions is lawful and fulfils my duties under EA 2010.

7.3 As further assurance, I have commissioned an open and transparent process to be undertaken in order to promote equality of opportunity during the recruitment for a substantive Chief Executive following Mr Dennis's retirement.

## **8. Risk Management**

8.1 As noted at paragraph 3.7, the law does not permit me to have a gap in Chief Executive provision. This temporary appointment mitigates against any breach of the requirement at Schedule 1 7 (1) PRSRA 2011. The statutory appointment of a Chief Executive creates provision for management of risk within my Office and in the discharge of its functions.

## **9. Policy Implications and links to the Police and Crime Plan Priorities**

9.1 The appointment of temporary Chief Executive, which incorporates head of paid service, will ensure that the staff within my Office discharge its functions in accordance with the PRSRA 2011.

## **10. Changes in Legislation or other Legal Considerations**

10.1 As noted at paragraph 3.7, the law does not permit me to have a gap in Chief Executive provision. The proposal of this temporary appointment will mitigate against any breach of the requirement at Schedule 1 7 (1) PRSRA 2011.

## **11. Details of outcome of consultation**

11.1 None – for information only.

## **12. Appendices**

12.1 Appendix 1: Sharon Caddell CV

## **13. Background Papers (relevant for Police and Crime Panel Only)**

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